

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 14, 2015

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

THOMAS FRANCIS HALE,

Defendant - Appellant.

No. 14-4150
(D.C. No. 2:06-CR-00871-DN-1)
(D. Utah)

ORDER

Before **GORSUCH, MATHESON, and BACHARACH**, Circuit Judges.

This matter is before the court on the parties' Joint Motion to Vacate and Remand for Resentencing Pursuant to Agreement (the "Motion"). The Motion is granted as provided below.

This matter is remanded to the district court with instructions to vacate the appellant's sentence and for resentencing in accordance with the parties' Motion.

The appellant's Motion to Strike Motion for Release Pending Appeal is granted.

This appeal is dismissed. A copy of this order shall stand as and for the mandate of this court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Lara Smith
Counsel to the Clerk